

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN OHIO DISTRICT
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**Case No. CR-2-13-97
JUDGE FROST**

JAMES A. GALLAGHER, JR.,

Defendant.

ORDER REVOKING SUPERVISED RELEASE AND IMPOSING SENTENCE

This matter came on for a hearing this 6th day of January, 2016 upon the Petition to Revoke Defendant's Supervised Release Status. Defendant, Counsel for the Defendant, and Counsel for the Government appeared.

At the hearing Defendant admitted to violating:

Mandatory Condition No. 1: "The defendant shall not commit another Federal, state, or local crime."

Standard Condition No. 2: "The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer."

Special Condition No. 2: The defendant shall participate, as directed by the Probation Officer, in a program (outpatient and/or inpatient) for treatment of narcotic addiction or drug and alcohol dependency. This program may include testing for the detection of substance use or abuse. Further, the defendant shall be required to contribute to the costs of services for such treatment not to exceed an amount determined reasonable by the Probation Officer's sliding scale for Substance Abuse Treatment.

The Court accepts the admissions.

The Court thereafter proceeded with sentencing. Pursuant to the United States Sentencing Guidelines (U.S.S.G.) §§ 7B1.1, Defendant has been found guilty of violating one Mandatory Condition, one Standard Condition, and one Special Condition, which conduct represent Grade C violations.

Based on Grade C violations, and criminal history category IV, the advisory guideline imprisonment range for revocation purposes is six to twelve months. See U.S.S.G. 7B1.4.

Relying upon the foregoing, the facts of this case, and the 18 U.S.C. 3553(a) factors, the Court orders that Defendant's supervised release be revoked and the Court sentences Defendant to five (5) months imprisonment. Upon completion of the 5 month sentence, Defendant shall not be required to serve a further term of Supervised Release.

After sentencing, Defendant acknowledged his rights on appeal.

Defendant was remanded to the custody of the United States Marshal's Service.

IT IS SO ORDERED.

s/ Gregory L. Frost
GREGORY L. FROST, JUDGE
UNITED STATES DISTRICT COURT